

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-CR-9-D

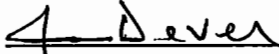
UNITED STATES OF AMERICA	)	
	)	
v.	)	<b>ORDER</b>
	)	
SHELBY SHERROD PETTIES,	)	
	)	
Defendant.	)	

On January 7, 2015, the United States indicted Shelby Sherrod Petties (“Petties” or “defendant”) on three counts. Count one charged failure to register as a sex offender between August 2012 and on or about February 18, 2013, in violation of 18 U.S.C. § 2250(a). Count two charged, inter alia, failure to register as a sex offender on or about February 6, 2013, in violation of 18 U.S.C. § 2250(a). Count three charged, inter alia, failure to register as a sex offender on or about February 9, 2013, in violation of 18 U.S.C. § 2250(a). See [D.E. 1]; see also [D.E. 100] 1–7 (describing procedural history).

On August 18, 2020, Petties moved to dismiss multiplicitous counts [D.E. 103]. On November 9, 2020, the court ordered that Petties’s motion be held in abeyance pending the outcome of Petties’s bench trial [D.E. 110]. On November 12, 2020, the court held a bench trial and found Petties guilty of counts one, two, and three. See [D.E. 112, 114]. In its order pronouncing Petties’s guilt, the court indicated that it would only punish Petties for one of his three convictions. See [D.E. 114] 3. The court ordered the United States to identify the count on which it sought punishment and invited Petties to respond. See id. at 3–4. On January 14, 2021, the United States requested that the court punish Petties on count one [D.E. 115]. Petties did not respond. Accordingly, the court

GRANTS Petties's motion [D.E. 103] and DISMISSES as multiplicitous counts two and three. The court will proceed with sentencing Petties on count one.

SO ORDERED. This 25 day of March 2021.

  
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JAMES C. DEVER III  
United States District Judge